

REMARKS

Applicant wishes to thank the Examiner for the careful consideration given this case. Claims 1-20 were filed in this case. Of these, claims 15-18 have been withdrawn by the Examiner. As requested, by amendment herein, claims 15-18 are cancelled without prejudice to later presentation in this or related cases. New claims 21-23 are added herein. Thus, claims 1-14, 19, and 20-23 are pending.

This response addresses those issues raised in the Office Action. It is believed that the present amendment renders all pending claims allowable. In view of the amendments and the following remarks, reconsideration of the claims is respectfully requested.

As requested, a Substitute Sequence Listing is filed concurrently with this response.

Initially, Applicant's attorney acknowledges the allowability of SEQ ID NO: 48. Claims 1, 13, 19, and 20 all include limitation to SEQ ID NO: 48 (i.e., Glycine-Alanine-Valine-Valine-Proline-Glutamine). Accordingly, each of these claims is in condition for final allowance and notice to such effect is respectfully requested.

In accordance with MPEP §803.02 and in an effort to expedite allowance of this case, Applicant has amended the claims to exclude SEQ ID NO: 11 and SEQ ID NO: 15. Therefore, the merits of the Examiner's rejection with regard to SEQ ID NO: 11 and SEQ ID NO: 15 will not be addressed at length herein. However, it is to be specifically noted that Applicant's attorney strongly disagrees with the Examiner's position regarding SEQ ID NO: 11 and SEQ ID NO: 15. Applicant expressly reserves the right to present arguments and/or claim amendments to persuade the Examiner of the allowability of claims directed to SEQ ID NO: 11 and SEQ ID NO: 15 in this or a later filed case.

Applicant has amended claim 13 to claim peptides SEQ ID NOS: 42-54. Applicant has included new claims directed to SEQ ID NOS: 45, 50, and 53 individually. The claim amendments made herein are for the sole purpose of establishing the patentability of the peptides of SEQ ID NOS: 42-54. Applicant specifically reserves the

right to pursue each of the peptides in SEQ ID NOS: 1-41 or any combination of SEQ ID NOS: 1-41 in this or a later presented case. Excluding these species from consideration is meant solely as a means to alleviate the Examiner's burden.

In view of the amendments to the claims and the remarks presented herein, it is respectfully submitted that the present application is in condition for final allowance and notice to such effect is requested. If the Examiner believes that additional issues need to be resolved before this application can be passed to issue, the undersigned invites the Examiner to contact him at the telephone number provided below.

Respectfully submitted,

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Version with Markings to Show Changes Made

Please amend claims 1, 13, 19 and 20 as follows:

1. (Amended) A composition useful in treating [a condition of] mammalian tissue, said composition being comprised of a peptide [or biological equivalent thereof] corresponding to [selected from the group consisting of SEQ ID 1, SEQ ID 2, SEQ ID 3, SEQ ID 4, SEQ ID 5, SEQ ID 6, SEQ ID 7, SEQ ID 8, SEQ ID 9, SEQ ID 10, SEQ ID 11, SEQ ID 12, SEQ ID 13, SEQ ID 14, SEQ ID 15, SEQ ID 16, SEQ ID 20, SEQ ID 21, SEQ ID 22, SEQ ID 24, SEQ ID 25, SEQ ID 26, SEQ ID 27, SEQ ID 28, SEQ ID 29, SEQ ID 30, SEQ ID 31, SEQ ID 32, SEQ ID 33, SEQ ID 34, SEQ ID 35, SEQ ID 36, SEQ ID 37, SEQ ID 38, SEQ ID 39, SEQ ID 40, SEQ ID 41, SEQ ID 42, SEQ ID 43, SEQ ID 44, SEQ ID 45, SEQ ID 46, SEQ ID 47,] SEQ ID NO: 48 (Glycine-Alanine-Valine-Valine-Proline-Glutamine) [SEQ ID 49, SEQ ID 50, SEQ ID 51, SEQ ID 52, SEQ ID 53, and SEQ ID 54].

13. (Amended) [The] A peptide corresponding to [of claim 12, wherein the] a peptide [is] selected from the group consisting of [SEQ ID 15,] SEQ ID 42 (Alanine-Valine-Proline-Glutamine-Amide), SEQ ID 43 (Acetyl-Valine-Valine-Proline-Glutamine), SEQ ID 44 (Acetyl-Glycine-Alanine-Valine-Valine-Proline-Glutamine-Amide), SEQ ID 45 (Alanine-Valine-Valine-Proline-Glutamine), SEQ ID 46 (Glycine-Alanine-Valine-Valine-Proline-Glutamine), SEQ ID 47 (Alanine-Valine-Proline-Glutamine-Amide), SEQ ID 48 (Glycine-Alanine-Valine-Valine-Proline-Glutamine), SEQ ID 49 (Cysteine-Valine-Proline-Glutamine-Cysteine), SEQ ID 50 (Cysteine-Alanine-Valine-Valine-Proline-Glutamine-Cysteine), SEQ ID 51 (Cysteine-Glycine-Alanine-Valine-Valine-Proline-Glutamine-Cysteine), SEQ ID 52 (Cysteine-Valine-Valine-Proline-Glutamine-Cysteine), SEQ ID 53 (Cysteine-Alanine-Valine-Proline-Glutamine-Cysteine), SEQ ID 54 (Cysteine-Glycine-Alanine-Valine-Valine-Proline-Glutamine-Cysteine).

19. (Amended) A pharmaceutical composition comprised of a peptide [or biological equivalent thereof,] corresponding to [selected from the group consisting of SEQ ID 1, SEQ ID 2, SEQ ID 3, SEQ ID 4, SEQ ID 5, SEQ ID 6, SEQ ID 7, SEQ ID 8, SEQ ID 9, SEQ ID 10, SEQ ID 11, SEQ ID 12, SEQ ID 13, SEQ ID 14, SEQ ID 15, SEQ ID 16, SEQ ID 20, SEQ ID 21, SEQ ID 22, SEQ ID 24, SEQ ID 25, SEQ ID 26, SEQ ID 27, SEQ ID 28, SEQ ID 29, SEQ ID 30, SEQ ID 31, SEQ ID 32, SEQ ID 33, SEQ ID 34, SEQ ID 35, SEQ ID 36, SEQ ID 37, SEQ ID 38, SEQ ID 39, SEQ ID 40, SEQ ID 41, SEQ ID 42, SEQ ID 43, SEQ ID 44, SEQ ID 45, SEQ ID 46, SEQ ID 47,] SEQ ID 48 (Glycine-Alanine-Valine-Valine-Proline-Glutamine) [SEQ ID 49, SEQ ID 50, SEQ ID 51, SEQ ID 52, SEQ ID 53, and SEQ ID 54].

20. (Amended) A cosmetic preparation comprised of a peptide [or biological equivalent thereof,] corresponding to [selected from the group consisting of SEQ ID 1, SEQ ID 2, SEQ ID 3, SEQ ID 4, SEQ ID 5, SEQ ID 6, SEQ ID 7, SEQ ID 8, SEQ ID 9, SEQ ID 10, SEQ ID 11, SEQ ID 12, SEQ ID 13, SEQ ID 14, SEQ ID 15, SEQ ID 16, SEQ ID 20, SEQ ID 21, SEQ ID 22, SEQ ID 24, SEQ ID 25, SEQ ID 26, SEQ ID 27, SEQ ID 28, SEQ ID 29, SEQ ID 30, SEQ ID 31, SEQ ID 32, SEQ ID 33, SEQ ID 34, SEQ ID 35, SEQ ID 36, SEQ ID 37, SEQ ID 38, SEQ ID 39, SEQ ID 40, SEQ ID 41, SEQ ID 42, SEQ ID 43, SEQ ID 44, SEQ ID 45, SEQ ID 46, SEQ ID 47,] SEQ ID 48 (Glycine-Alanine-Valine-Valine-Proline-Glutamine) [SEQ ID 49, SEQ ID 50, SEQ ID 51, SEQ ID 52, SEQ ID 53, and SEQ ID 54].